

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re EpiPen ERISA Litigation

Civil No. 17-cv-1884 (PAMHB)

(This Document Applies to All Actions)

**SECOND AMENDED¹ THIRD
ORDER REGARDING CASE
MANAGEMENT CONFERENCES**

HILDY BOWBEER, United States Magistrate Judge

The undersigned will convene case management conferences in this matter in Courtroom 7D of the Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota, approximately every six weeks at least through the duration of the discovery period. *The conferences do not relieve counsel of the obligation to meet and confer in good faith to resolve or narrow disputes without the need for the Court's assistance.*

In advance of each call, counsel for the parties shall meet and confer about the issues to be discussed, and then e-file with the Court, on the due dates set forth below, a joint agenda that identifies and prioritizes the matters to be discussed and identifies the attorneys who expect to speak to those matters. *The Court will permit participation by telephone and will circulate conference bridge call-in information a day or two in advance of each conference, but strongly encourages attendance in person for any attorney who expects to speak to an item on the agenda.*

¹ The only changes to this order change the due dates of the IDR “responding party” letters and the Update letters from one day before each conference to two days before each conference.

The agenda must clearly identify any matter on which the parties wish—and have agreed—to seek a resolution at the conference through the Court’s IDR process. Any party seeking relief through the IDR process at the case management conference must e-file a letter by the applicable due date identified below, setting forth its position on the matters on which it seeks relief. The opposing party may e-file a responsive letter. IDR position letters should be brief – ideally not more than five pages, single-spaced. Exhibits should be kept to a minimum, and should include only what is necessary for the Court to understand and address the dispute. Documents already a part of the record may be cited by docket number and need not be attached.

In addition to the joint agenda, each side must file a letter by the deadline identified below that updates the Court on the status of discovery and that side’s progress and perspective as to the topics identified on the agenda. This should also include any matters on which the Court requested an update during the previous case management conference, and any developing disputes on which the parties do not yet seek a decision from the Court, provided the opposing party or parties were apprised of the intention to raise the issue at the meet and confer about the proposed agenda. To the extent that report varies from party to party and cannot be captured in a single letter, individual parties may provide supplemental update letters.

The Court frowns on sandbagging and ambushing. Therefore, parties should generally *not* raise an issue in their update letters or at the conference if they have not informed the opposing party or parties of their intention to raise the issue with the Court,

ideally in sufficient time to allow the opposing party or parties an opportunity to include their position on the issue in their own update letter.

The case management conferences for 2020 will take place as set forth below:

1. Thursday, February 6, 2020, at 1:00 p.m. CST

Joint agenda due: **January 30, 2020, by 5:00 p.m. CST**

IDR “moving party” letters due: **January 31, 2020, by 5:00 p.m. CST**

IDR “responding party” letters due: **February 5, 2020, by 5:00 p.m. CST**

Update letters due: **February 5, 2020, by 5:00 p.m. CST**

2. Thursday, March 19, 2020, at 1:00 p.m. CDT

Joint agenda due: **March 12, 2020, by 5:00 p.m. CDT**

IDR “moving party” letters due: **March 13, 2020, by 5:00 p.m. CDT**

IDR “responding party” letters due: **March 17, 2020, by 5:00 p.m. CDT**

Update letters due: **March 17, 2020, by 5:00 p.m. CDT**

3. Wednesday, April 29, 2020, at 1:00 p.m. CDT

Joint agenda due: **April 22, 2020, by 5:00 p.m. CDT**

IDR “moving party” letters due: **April 23, 2020, by 5:00 p.m. CDT**

IDR “responding party” letters due: **April 27, 2020, by 5:00 p.m. CDT**

Update letters due: **April 27, 2020, by 5:00 p.m. CDT**

4. Monday, June 1, 2020, at 1:30 p.m. CDT

Joint agenda due: **May 26, 2020, by 5:00 p.m. CDT**

IDR “moving party” letters due: **May 27, 2020, by 5:00 p.m. CDT**

IDR “responding party” letters due: **May 28, 2020, by 5:00 p.m. CDT**

Update letters due: **May 28, 2020, by 5:00 p.m. CDT**

5. Wednesday, July 15, 2020, at 1:00 p.m. CDT

Joint agenda due: **July 8, 2020, by 5:00 p.m. CDT**

IDR “moving party” letters due: **July 9, by 5:00 p.m. CDT**

IDR “responding party” letters due: **July 13, 2020, by 5:00 p.m. CDT**

Update letters due: **July 13, 2020, by 5:00 p.m. CDT**

6. Wednesday, August 26, 2020, at 1:00 p.m. CDT

Joint agenda due: **August 19, 2020, by 5:00 p.m. CDT**

IDR “moving party” letters due: **August 20, 2020, by 5:00 p.m. CDT**

IDR “responding party” letters due: **August 24, 2020, by 5:00 p.m. CDT**

Update letters due: **August 24, 2020, by 5:00 p.m. CDT**

7. Wednesday, September 30, 2020, at 1:00 p.m. CDT

Joint agenda due: **September 23, 2020, by 5:00 p.m. CDT**

IDR “moving party” letters due: **September 24, 2020, by 5:00 p.m. CDT**

IDR “responding party” letters due: **September 28, 2020, by 5:00 p.m. CDT**

Update letters due: **September 28, 2020, by 5:00 p.m. CDT**

IT IS SO ORDERED.

Dated: February 6, 2020

s/ Hildy Bowbeer

HILDY BOWBEER

United States Magistrate Judge